

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Charles K. Verhoeven (Bar No. 170151)

2 charlesverhoeven@quinnemanuel.com

David A. Perlson (Bar No. 209502)

3 davidperlson@quinnemanuel.com

Melissa Baily (Bar No. 237649)

4 melissabaily@quinnemanuel.com

John Neukom (Bar No. 275887)

5 johnneukom@quinnemanuel.com

Jordan Jaffe (Bar No. 254886)

6 jordanjaffe@quinnemanuel.com

50 California Street, 22nd Floor

7 San Francisco, California 94111-4788

Telephone: (415) 875-6600

8 Facsimile: (415) 875-6700

9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

Plaintiff,

13 vs.

UBER TECHNOLOGIES, INC.;

14 OTTOMOTTO LLC; OTTO TRUCKING

LLC,

15 Defendants.

CASE NO. 3:17-cv-00939-WHA

**ADMINISTRATIVE MOTION TO
SHORTEN TIME FOR BRIEFING AND
HEARING ON PLAINTIFF WAYMO
LLC'S MOTION FOR EXPEDITED
DISCOVERY**

1 Pursuant to Civil L.R. 6-1(b) and 6-3, Plaintiff Waymo LLC (“Waymo”) hereby respectfully
2 requests that the Court shorten the briefing and hearing schedule for Waymo’s Motion for Expedited
3 Discovery. Waymo proposes modifying the schedule so that it may obtain the discovery requested in
4 its motion for expedited discovery prior to the deadline for its reply in support of Waymo’s motion for
5 preliminary injunction (“PI Motion”) and the noticed hearing on Waymo’s PI Motion.

6 Under the current briefing schedule, Defendants’ oppositions to Waymo’s PI Motion and
7 motion for expedited discovery are currently due on the same day, March 24, 2017, with Waymo’s
8 reply to both motions due March 31, 2017. Similarly, the hearing for Waymo’s PI Motion and
9 Waymo’s motion for expedited discovery are currently noticed for the same day – April 27, 2017.
10 Because the schedule for briefing and hearing on Waymo’s PI Motion and motion for expedited
11 discovery are identical, Waymo will not be able to obtain the benefit of expedited discovery for its
12 reply or the hearing on PI Motion.

13 Therefore, Waymo requests that the Court order the following briefing schedule:

14 (1) Defendants Uber Technologies, Inc., Ottomotto LLC, and Otto Trucking LLC
15 (collectively “Defendants”) file any opposition to Waymo’s motion for expedited discovery no later
16 than March 17, 2017.

17 (2) Waymo file its reply in support of its motion for expedited discovery no later than March
18 20, 2017.

19 (3) At the convenience of the Court’s schedule, the Court’s hearing on Waymo’s motion for
20 expedited discovery be held on March 30, 2017.

21 Waymo’s proposed schedule allow the Court, Waymo, and Defendants sufficient time to both
22 brief Waymo’s expedited discovery motion and obtain the benefit of that discovery for the preliminary
23 injunction motion and hearing. In contrast, Waymo would be substantially harmed without the
24 requested shortened briefing and hearing schedule. As described in Waymo’s motion for expedited
25 discovery, Waymo has good cause to seek discovery that supports its PI Motion on an expedited basis.
26 In addition, as Defendants’ misappropriation and infringement of Waymo’s intellectual property
27 causes Waymo continued irreparable harm, quick relief is warranted. Allowing Waymo to potentially
28 obtain its expedited discovery before its reply and the Court’s hearing on Waymo’s PI Motion will

1 streamline and allow for the Court's resolution of the PI Motion with the benefit of evidence disclosed
2 in the expedited discovery.

3 Should Defendants have an opposition to Waymo's motion for expedited discovery, this
4 shortened schedule will further allow the Court and Waymo to address such issues and resolve them
5 well in advance of the PI Motion hearing. A shortened briefing schedule on the motion for expedited
6 discovery will not affect other case deadlines, but will allow the parties to streamline issues for the
7 Court at both the hearing on Waymo's motion for preliminary injunction and the case management
8 conference.

9 For the foregoing reasons, Waymo respectfully requests the Court grant its Motion to Shorten
10 Time for Briefing and Hearing on Waymo's Motion for Expedited Discovery.

11
12
13 DATED: March 10, 2017

QUINN EMANUEL URQUHART & SULLIVAN,
LLP

14
15 By /s/ Charles K. Verhoeven

16 Charles K. Verhoeven
17 Attorneys for WAYMO LLC
18
19
20
21
22
23
24
25
26
27
28